

LOCAL AGENCY FORMATION COMMISSION OF SANTA CLARA COUNTY

County Government Center, 11th Floor, East Wing
70 West Hedding Street, San Jose, California 95110
(408) 299-5127 (408) 295-1613 Fax

FILING REQUIREMENTS

INCORPORATION PROPOSALS

The following requirements must be met in order to deem an incorporation application filed:

1. One certified resolution from agency requesting LAFCO action (if proposal is initiated by local agency resolution) **OR**

One copy of the petition (if proposal is initiated by petition, landowner or registered voter)

2. Proposal justification information
3. A map and general description of boundary sufficient to describe the proposed incorporation. The metes and bounds legal description and a map acceptable to the State Board of Equalization are submitted following LAFCO approval of final incorporation boundaries. Legal descriptions and boundaries other than those shown on previously recorded legal documents shall be prepared by a person authorized to practice land surveying (i.e., any licensed land surveyor, or any civil engineer registered prior to January 1, 1982, pursuant to California Business and Professions Code sections 8700-8806)
4. LAFCO is lead agency for CEQA. One copy of the completed *Environmental Information Form* is required to facilitate LAFCO's environmental review.
5. One copy of a plan for services is required to be prepared in compliance with California Government Code section 56653
6. A preliminary feasibility analysis that estimates potential municipal costs and revenues for city services. Incorporation proponents or their contractors may perform the preliminary feasibility analysis which should include the following.
 - a. Inventory of presently reviewed local government services.
 - b. Roster of agencies that provide present services.
 - c. Determination of desired changes in governmental services, both in type and area served. The "area" concept will be considered both

from the standpoint of efficient service territory, and for determining the level of environmental review necessary, pursuant to the California Environmental Quality Act (CEQA).

- d. The feasibility study shall address issues and factors of consideration specified in Government Code Sections 56425 (Sphere of Influence issues), 56653 (plan for services), and 56841 (factors to be considered in review and proposal).

The study shall also consider appropriate alternatives which may include, but not be limited to continuing the status quo; establishing a Municipal Advisory Council; forming a County Service Area; consolidating existing special districts within a Community Service District; annexing to an existing city; and incorporating a new city.

- e. Financial feasibility component consisting of projected revenues and expenditures that would result from incorporation.

A comprehensive Fiscal Analysis will be prepared by a financial consultant retained by LAFCO.

- 7. An agreement to pay incorporation costs signed by proponents,
- 8. An indemnification agreement signed by proponents
- 9. Party Disclosure forms signed by proponents and any other affected party or agent included in the proposal.
- 10. Lobbying Disclosure forms filed by the applicant listing all lobbyists hired to influence the action taken by LAFCO on the application. Must be updated one week prior to hearing date, if necessary.
- 11. Any additional information required by the Executive Officer.
- 12. LAFCO Filing fees and the State Board of Equalization fees.

Disclosure Requirement

This disclosure requirement is in addition to Items No9nd 10 above. Pursuant to Government Code Sections 56700.1 and 81000 et seq., any person or combination of persons who directly or indirectly contribute \$1,000 or more in support of or in opposition to a change of organization or reorganization that has been submitted to Santa Clara County LAFCO and will require an election must comply with the disclosure requirements of the Political Reform Act of 1974 which apply to local initiative measures. These requirements contain provisions for making disclosures of contributions and expenditures at specified intervals. Additional information about the requirements pertaining to the local initiative measures to be presented to the electorate can be obtained by calling the Fair Political Practices Commission at (916) 322-5660.